

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Michelle MacDonald Shimota, *et al.*,

Case No. 15-cv-1590-JRT-KMM

Plaintiffs,

v.

Bob Wegner, *et al.*,

Defendants.

**AFFIDAVIT OF
JEFFREY A. TIMMERMAN
IN SUPPORT OF COUNTY
DEFENDANTS' MOTION FOR
SUMMARY JUDGMENT**

JEFFREY A. TIMMERMAN, having first been duly sworn under oath, states as follows:

1. I am one of the attorneys representing defendants Bob Wegner, Christopher Melton, Timothy Gonder, Jon Napper, and Dakota County (collectively, the "County Defendants") in the above-captioned civil action. I submit this Affidavit in support of the County Defendants' Motion for Summary Judgment.

2. Excerpts of the Transcript of the Videotaped Deposition of Michelle MacDonald Shimota cited in the Brief in Support of County Defendants' Motion for Summary Judgment (hereinafter, the "County Defendants' Principal Brief") are collectively annexed hereto as Exhibit 1.

3. Excerpts of the Transcript of the Deposition of Deputy Sheriff Timothy Gonder cited in the County Defendants' Principal Brief are collectively annexed hereto as Exhibit 2.

4. Excerpts of the Transcript of the Deposition of Sergeant Christopher Melton cited in the County Defendants' Principal Brief are collectively annexed hereto as Exhibit 3.

5. Annexed hereto as Exhibit 4 is the Affidavit of David Knutson dated January 24, 2014, and Exhibit A thereto, in the case styled *State of Minnesota v. Michelle MacDonald Shimota*, Court File No. 19HA-CR-13-2934 (Minn. Dist. Ct., 1st Jud. Dist.).

6. Excerpts of the Transcript of the Deposition of Deputy Jon Napper cited in the County Defendants' Principal Brief are collectively annexed hereto as Exhibit 5.

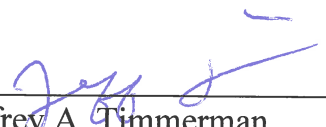
7. Annexed hereto as Exhibit 6 is the Referee's Findings of Fact, Conclusions of Law, Recommendation for Discipline and Memorandum, dated January 3, 2017, in the case styled *In re Petition for Disciplinary Action against Michelle Lowney MacDonald*, Court File No. A16-1282 (Minn.).

8. Excerpts of the Transcript of the Deposition of Deputy Robert Wegner cited in the County Defendants' Principal Brief are collectively annexed hereto as Exhibit 7.

9. Annexed hereto as Exhibit 8 is the Release Order dated September 13, 2013, in the case styled *State of Minnesota v. Michelle MacDonald Shimota*, Court File No. 19HA-CR-13-2934 (Minn. Dist. Ct., 1st Jud. Dist.).

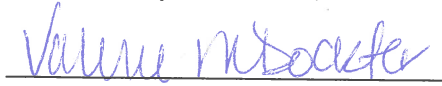
10. Annexed hereto as Exhibit 9 is Plaintiff's Responses to Defendants' Requests for Admissions to Plaintiff (Set I).

Further your affiant sayeth not.



Jeffrey A. Timmerman

Subscribed and sworn to before
this 2nd day of March, 2017



Notary Public

